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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,511	03/25/2004	Kiyoshi Sasoh	4492-0111PUS1	5543
2292	7590	10/13/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			CHEN, SOPHIA S	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 10/13/2005


Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/808,511

Applicant(s)

SASOH ET AL. 

Examiner

Sophia S. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 2004 and 09 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2004 and 09 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/16/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 10 (Figure 1 filed 9/17/04) and 29 (Figure 4 filed 3/9/05). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because Figure 4 (filed 3/9/05) contains incorrect reference numerals. 35a and 31 should be labeled as 31 and 35a, respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an

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amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 1-3 and 9 are objected to because of the following informalities:
    - a. Claim 1 (amended), lines 6-7, there is no antecedent basis for "the transporting unit". The examiner believes that "the transporting unit" should be "the transporting member" to be consistent with the terminology used previously (see claim 1, lines 1-2).
    - b. Claim 9, line 1, there is no antecedent basis for "The image forming apparatus". The examiner believes "The image forming apparatus" should be "The apparatus" to be consistent with claim 4.
- Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Gotoh et al. (US Pat. No. 6,075,958).

The patent discloses a cabinet opening structure for an apparatus (image forming apparatus) having a sheet transporting member 44 or 36 (Figures 2 and 3B) comprising: a cabinet having an openable portion (side cover) 71 which can be opened in a first direction (Figures 3A and 3B); an operating member (a paper feeding knob) 74 or (a revolving knob) 75 connected to the transporting member 44 or 36 which can be manually operated for operating the sheet transporting member 44 or 36 (Figures 2 and 3B); and the operating member 74 or 75 being disposed at a position at which the operating member 74 or 75 is exposed to the outside of the apparatus in a direction perpendicular to the first direction when the openable portion 71 of the cabinet is opened (Figure 3B).

The patent also discloses the openable portion 71 of the cabinet is disposed on a side of the cabinet generally perpendicular to the front 70 of the cabinet (Figure 1); the apparatus further comprising an operating unit (control panel) 57 for operating the apparatus positioned adjacent the front 70 of the cabinet (Figure 1), wherein the operating member 74 or 75 is exposed to the front 70 of the apparatus (Figure 3B); the

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openable portion 71 of the cabinet includes a part 72 of the cabinet on the same side of the apparatus as the operating unit 57 (Figures 1, 3A, and 3B).

The patent further discloses the operating member 74 or 75 being located generally along a transportation path (from reference numeral 44 to reference numeral 41) of a sheet member P in the apparatus (Figures 2 and 3B); the operating unit 57 being disposed on the same side of the apparatus (front side 70) on which the operating member 74 or 75 is exposed (Figures 1 and 3B); and the transporting unit 44 or 36 is connected to the operating member 74 or 75 via a plurality of transmitting members (inherently, such as roller shafts, knobs, etc.).

The patent further discloses the apparatus comprising an image forming unit 20 for forming an image on the sheet member P based on image formation; a fixing device 36; a first operating member 74 connected to the transporting unit (a registration roller pair) 44 which can be manually operated (Figures 2 and 3B); a second operating member 75 connected to the fixing device 36 which can be manually operated (Figures 2 and 3B); the first and second operating members 74 and 75 being disposed at positions at which the operating members 74 and 75 are exposed to the outside of the apparatus in a direction perpendicular to the first opening direction when the openable portion 71 of the cabinet is opened (Figure 3B); the transporting unit includes a registration roller pair 44 for controlling a timing when the sheet member P is transported with respect to the image forming unit 20 (column 3, lines 12-14 and Figure 2); and the operating member 74 or 75 is located in proximity to an end frame member 71 or 72 of the apparatus (Figure 3B).

***Other Prior Art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakakibara (US Pat. No. 4,903,076) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction, an operating member connected to a transporting unit which can be manually operated for operating the transporting unit; and the operating member being disposed at a position at which the operating member is exposed to the outside of the apparatus in a direction perpendicular to the first direction.

Nakano et al. (US Pat. No. 5,280,898) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction, an operating member connected to a transporting unit which can be manually operated for operating the transporting unit; and the operating member being disposed at a position at which the operating member is exposed to the outside of the apparatus in a direction perpendicular to the first direction.

Arai (US Pat. No. 6,145,828) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction.

Itoh et al. (US Pat. Pub. No. US 2002/0054777 A1) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction, an operating member connected to a transporting unit which can be manually operated for operating the transporting unit; and the operating member being disposed at a position

at which the operating member is exposed to the outside of the apparatus in a direction perpendicular to the first direction.

Murakami et al. (US Pat. Pub. No. US 2004/0161259 A1) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction.

Yamanaka (US Pat. Pub. No. US 2004/0190939 A1) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction, an operating member connected to a transporting unit which can be manually operated for operating the transporting unit; and the operating member being disposed at a position at which the operating member is exposed to the outside of the apparatus in a direction perpendicular to the first direction.

Deguchi et al. (JP 58-153976 A) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction.

Tomita et al. (JP 03-006584 A) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction.

Sato et al. (04-095985 A) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction.

Sato (JP 06-144635 A) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction, an operating member connected to a transporting unit which can be manually operated for operating the transporting unit; and the operating member being disposed at a position at which the



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operating member is exposed to the outside of the apparatus in a direction perpendicular to the first direction.

Horie et al. (JP 10-254205 A) discloses an image forming apparatus comprising an openable portion which can be opened in a first direction, an operating member connected to a transporting unit which can be manually operated for operating the transporting unit; and the operating member being disposed at a position at which the operating member is exposed to the outside of the apparatus in a direction perpendicular to the first direction.

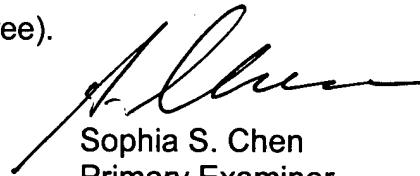
#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sophia S. Chen whose telephone number is (571) 272-2133. The examiner can normally be reached on M-F (7:00-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sophia S. Chen  
Primary Examiner  
Art Unit 2852

Ssc  
October 11, 2005